

COMMUNITY CAPACITY DEVELOPMENT OFFICE (CCDO)

DENIAL APPEALS

Introduction:

This guideline describes the procedures by this office (CCDO) for notifying the U. S. Attorney's Office that the Official Recognition submitted by applicants within their district has been denied. It also describes the CCDO policy for appealing a denial. Policies and procedures described in this guideline apply only to the Official Recognition Application and not to the CCDO funding grants.

Cities/Counties/Local Units of Government submit an application for Official Recognition which is the strategy that is developed to address crime and violence in a community. This is not an application for funding. Applications for sites to receive Official Recognition are reviewed by CCDO staff, other Federal staff, and outside consultants with Weed and Seed experience and/or background in law enforcement, prevention and neighborhood revitalization. USAO's will receive notification regarding the status of an OR. If the application is denied a letter is sent to the USAOs with detailed explanations in the Official Recognition Review Checklist. The letter will contain justification for the denial as well as offer suggestions for technical assistance or follow up from a CCDO program manager to improve the Official Recognition package.

Purpose and Policy:

The Weed and Seed program is first and foremost a comprehensive strategy developed with many local partners. The U. S. Attorneys provide local leadership for the Department of Justice and their offices are required by the CCDO to be the main point of contact for the development of the Weed and Seed strategy. . A letter of intent is submitted by the applicant to the U.S. Attorney's Office and forwarded to CCDO in August of each year to notify the CCDO of an applicant's interest in developing a Weed and Seed strategy for Official Recognition. The Official Recognition Applications are reviewed two weeks prior to submission by the U. S. Attorney/or USAO representative, and returned to the applicant if changes are needed. The completed package is submitted to the CCDO with a cover letter of support from the U. S. Attorney's Office (USAO). It is expected that no OR application will be forwarded with U. S. Attorney support if there are any doubts at this level as to eligibility or capacity for achieving success and sustainability.

In addition: a letter of intent is submitted to the U. S. Attorney's Office and forwarded to CCDO in August of each year to notify the CCDO of an applicants interest in planning a Weed and Seed strategy.

The CCDO appeal procedures provide denied applicants for Official Recognition a "one-time-chance" by the U. S. Attorney to appeal the denial.

Grounds on which an appeal can be made:

1. If the OR package is missing non-key elements or minor infractions, such as a list of Steering Committee members with out a designation for residents, missing documentation for US Attorney's Office (letter of support, maps, in such case a tracking system can be used, Fed Exs sometimes do get lost.)

Grounds on which an APPEL CANNOT be made: Recognition Guidelines are Complete in self-explanatory that these elements are necessary for an OR to be approved.

1. Missing the Deadline by more that two working days—
2. Not an expanded site and funds to be placed in old site, new residents on Steering Committee
3. Population size
4. Strategy Development is not complete
5. Management Structure, Neighborhood Selection, Coordination and Community participation is missing and not described adequately

Procedure:

Denials and Appeals

Action Step	Responsible Agency	Time of Response
1. Denial Letter is sent to the U.S. Attorney's Office (a copy of the denial is sent to the Office of General Counsel)	CCDO	Spring of the following year of the submission of OR Example: OR Submitted 10/04 Letters Sent by: 03/05
2. USAO and site appeals the decision and sends information to CCDO for the basis of the appeal	USAO	Thirty days from receipt of letter of denial, correspondence is sent to CCDO Director who then assigns to the to appropriate program manager
3 a. CCDO Program Manager reviews the denial and the arguments of the appeal	CCDO	Two weeks
3 b. OR Readers review the denial and the arguments of the appeal	CCDO/OR Readers	Two Weeks from receipt of the appeal
4. CCDO Director, Deputy Director, Program Manager, OR Readers schedule conference a call to discuss the arguments from the USAO and site	CCDO	Conference call is scheduled within three weeks of receipt of the denial appeal USAO letter.

5. CCDO Director contacts the USAO with the final decision	USAO/CCDO	Two Weeks
6. USAO notifies the site	USAO	Immediate
7. CCDO notifies OCOM and OGC of change in status, if reconsideration warrants	CCDO	Immediate
8. Normal OR Verification procedures and process resume		